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Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Pitcairn

Working paper prepared by the Secretariat

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I. Background information

1. Pitcairn[1] is a Non-Self-Governing Territory administered by the United Kingdom of Great Britain and Northern Ireland. The Territory is located midway between Australia and the continent of South America at 25°S and 130°W. It comprises four islands in the eastern Pacific Ocean: Pitcairn, the only inhabited island, Henderson, Ducie and Oeno. The total area of the Territory is 35.5 sq km while that of Pitcairn is 4.35 sq km.[2]

2. Access to Pitcairn is possible only by sea. Charter boats from Mangareva in French Polynesia currently run to the Island four times a year, but a more regular six-weekly passenger service is scheduled to begin as of June 2009, supplementing the Mangareva passenger runs with four freight and passenger runs throughout the year directly from New Zealand. Cruise ships also call during the season (December to March). Ships visiting the Island remain at anchor some distance from the shoreline and visitors are ferried to the Island in longboats. According to information provided by the administering Power, plans are being considered to improve landing facilities, particularly for cruise ship passengers, as tourism development is important for Pitcairn's future prosperity, as well as work to help the community develop more professional tourist services and standards.[3]

3. The terrain in Pitcairn is of rugged volcanic formation, with a rocky coastline and cliffs lining nearly the entire perimeter of the island, giving no easy access from the sea. Although canoes can be launched in many places, Bounty Bay and the Tedside landing are the only two places on the Island that offer a reasonably safe landing. Pitcairn (named after Robert Pitcairn, a midshipman who sighted it in 1767), was uninhabited when castaways from HMAV *Bounty* (9 mutineers and 18 Polynesians) arrived there in 1790. Today, Pitcairn is inhabited partly by their descendants. Its population has been declining steadily since 1937, when it peaked at over 200. As at December 2008 the total population of the Territory was 55. It is common for young people to leave the Territory at the age of 15 (usually in their third year of secondary schooling) to attend secondary school in New Zealand. The continuing exodus of young people has been a concern to the Islanders for many years. Most of the population lives in Adamstown, the only settlement in Pitcairn. Many Pitcairn islanders have strong links with New Zealand, and some are dual United Kingdom and New Zealand nationals. There are also increasing links with French Polynesia, Pitcairn's nearest neighbour.[4]

4. The official languages are English and Pitkern, which is a mixture of eighteenth century English and Tahitian. Pitcairn enjoys a subtropical climate. Mean monthly temperatures vary from around 19°C in August to 24°C in February.

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[1] The information contained in the present working paper has been derived from published sources, including those of the territorial Government, and from information transmitted to the Secretary-General by the administering Power under Article 73 *e* of the Charter of the United Nations.

[2] The Far East and Australasia, 2005, Europa Publications.

[3] Parliamentary records, 17 December 2008 (available at http://www.publications.parliament.uk/pa/cm200809/cmhansrd/cm081217/text/81217w0026.htm).

[4] Foreign and Commonwealth Office, 12 November 2008, see www.fco.gov.uk.

II. Constitutional, political and legal issues

5. The Pitcairn Order 1970 and the Pitcairn Royal Instructions 1970 jointly compose the Constitution of Pitcairn. These instruments established the office of Governor and regulate his powers and duties. The Governor is appointed by the Queen, acting on the advice of the Secretary of State for Foreign and Commonwealth Affairs of the United Kingdom, to whom he is accountable. In practice, the High Commissioner of the United Kingdom to New Zealand is appointed concurrently as Governor of Pitcairn, and the responsibility for the administration of the Island is accordingly vested in him. The current Governor of Pitcairn is George Fergusson.

6. Under the 1970 Order, the Governor has legislative authority for Pitcairn and is empowered to formulate laws on any subject. However, the Royal Instructions require him to obtain the prior approval of the Secretary of State for the enactment of certain classes of laws, including laws that appear to him to be inconsistent with the United Kingdom's treaty obligations and laws that discriminate between different communities or religions. Laws enacted by the Governor are styled ordinances. Formally, all ordinances are subject to disallowance by the Queen, on the advice of the Secretary of State. The Government of the United Kingdom retains the power to legislate directly for Pitcairn by an Act of Parliament or an Order in Council. It is under this legislative power that the Governor establishes courts for Pitcairn and regulates their jurisdiction and procedures. The Pitcairn Court of Appeal is constituted under an Order in Council. The 1970 Order also vests in the Governor the power to appoint persons to offices in the public service and to remove or discipline them.

7. The major part of the general administration of Pitcairn is conducted from the Pitcairn Islands Office in Auckland, New Zealand, which is run by a Commissioner appointed by the Governor. The current Pitcairn Commissioner is Leslie Jacques. Pitcairn Islanders manage their internal affairs through the Island Council, which was established by Local Government Ordinance. The Ordinance conferred upon the Council the duty, subject to orders and directions by the Governor, to provide for the enforcement of the laws of Pitcairn and empowered it to make regulations for the good administration of Pitcairn, the maintenance of peace, order and public safety and the social and economic advancement of the Islanders.

8. Under the current government structure, the Island Council is required to meet at least once a month. It consists of 10 members: the Island Mayor, who is elected every three years;[5] the Chairman of the Internal Committee, who is elected annually; four Councillors, who are also elected annually; the Island Secretary, who is a public officer and serves on the Council ex officio; one nominated member who is appointed annually by the Governor; and two advisory (non-voting) members. During elections in December 2007, the 38-strong electorate elected a new mayor, Mike Warren.[6] In January 2009, the role of Chairman of the Internal Committee ceased to exist and the position of Deputy Mayor was created. In December 2008, Jay Warren was voted in as Deputy Mayor.

[5] Elections took place for the first time in 1999 when the century-old practice of naming a magistrate to head the local government ended.

[6] Radio New Zealand International report of 12 December 2007 (available at http://www.rnzi.com).

9. In order to vote, persons must be at least 18 years old and, if not born on Pitcairn, must have been resident for three years (one year for spouses and two years for de facto partners). To stand for the Council, candidates must fulfil the same residence requirements but must be at least 21 years of age. For the posts of Mayor and Deputy Mayor, the qualifying residence is eight years and the minimum age is 25. The Island Secretary prepares the register of voters in October of each year, and elections are held on a day during the first two weeks in December. The Island Secretary and other non-elected officials of the local government, including the Postmaster, Communications Officer, Island Auditor and Police Officer, are appointed by the Governor, invariably after consultation with the Council.

10. An Island Magistrate is appointed from among the residents of Pitcairn. Other magistrates, legally qualified in a Commonwealth country, are appointed to preside over the Court in matters outside the powers of the Island Magistrate. The jurisdiction of the Court is limited to offences triable summarily, committal proceedings and certain inquiries, together with civil litigation up to a prescribed level. There is a right of appeal from the Court to the Supreme Court of Pitcairn, which is a superior Court of record and has jurisdiction in criminal and civil cases outside the competence of the Magistrate's Court. The Supreme Court is constituted by a judge, the Chief Justice or one of several puisne judges, with or without assessors. Further rights of appeal may be made to the Pitcairn Court of Appeal, comprising three judges, and to the Privy Council.

11. According to the administering Power, the Pitcairn Courts have jurisdiction in relation to human rights arising out of the laws in force in the Islands. The judiciary and the Governor have a corresponding jurisdiction to uphold and enforce human rights in the Islands (see also paras. 15 and 16 below).

12. Any violation of the civil or political rights of any person is justiciable by means of injunction and damages that may be awarded by the Supreme Court. That court has inherent power and jurisdiction to award compensatory damages and, in certain cases, punitive damages, as well as to give binding directions to secure the rehabilitation of such persons. In the circumstances of Pitcairn, the Governor, as holder of the highest executive office, and the Chief Justice, as head of the judiciary, are responsible within their respective spheres of authority for overseeing the implementation of human rights on Pitcairn.

13. The administering Power has further noted that the laws in force in the Territory, including those relating to human rights, are published by the Government of the United Kingdom and the Pitcairn Administration and are readily available to all on the Island through the Island Secretary's office. The Territory's reports to international bodies are prepared by the Government of the United Kingdom, drawing on information provided by the Governor and the Commissioner.

14. With regard to the issue of self-government, in 2008, Ministers from the Foreign and Commonwealth Office and the Department for International Development held discussions on the future policy for Pitcairn and an internal joint development strategy paper was produced. According to the administering Power, both Departments are working closely to enable Pitcairn to reach self-sustainability, and the Department for International Development and the territorial Government have worked jointly on various aspects of the governance and economic development of Pitcairn. In addressing the restructuring of Pitcairn's governance, the Commissioner has worked in close consultation with the Governor's Office in

Wellington.[7] Previously, during a meeting before the United Kingdom's Foreign Affairs Committee in London on 3 December 2007, Mr. Jacques noted that one of his roles as Commissioner for the Pitcairn Islands was to lead a governance restructuring programme which prepared the Island Council to take on more autonomy. The intention was to devolve more local government and operational responsibility to the Island Council and put in place a new Government structure from April 2009.

15. In July 2007, prior to the 2008 discussions, a draft for a Pitcairn Island Charter was proposed to the people of Pitcairn as a basis for encouraging the re-populating of the Island and for building a viable future.[8] The Charter, informal in nature, contained two proposed elements for governance reform. The first was the extension of the European Convention on Human Rights to the Territory; and the second, the way in which governance reform was to be carried out through "devolving operational responsibility to the Government of Pitcairn Islands" and through "empowering the community".

16. With regard to the European Convention on Human Rights, in a report issued in June 2008, the House of Commons Foreign Affairs Committee on the Overseas Territories quotes information provided by the Foreign and Commonwealth Office, through the Pitcairn Commissioner, stating that the European Convention on Human Rights had been extended to "all populated Territories except Pitcairn".[9]

17. On the general applicability of the Human Rights Convention, an article by the constitutional expert Tony Angelo addressing the draft Charter argued that the United Kingdom's Human Rights Act of 1998 was already a "statute of general application" for Pitcairn.[10] Commenting further on the second Charter proposal, Mr. Angelo pointed out that the draft Charter, which at the time was envisaged to come into force in April 2008, gave limited time for effective consultation with the community.[10]

18. The report issued in June 2008 by the House of Commons Foreign Affairs Committee on the United Kingdom's overseas territories also addressed this point, noting that the Foreign and Commonwealth Office did not initially notify the Committee of any constitutional developments in the Pitcairn Islands in their evidence to the inquiry. However, the Commissioner of Pitcairn had told them that one of his roles was to take forward restructuring "to devolve operational responsibility" to Pitcairn and said he was consulting "very widely" with the local community as part of that process. The Committee said that they had received evidence from a Pitcairn resident, Kari Boye Young who, while acknowledging that the Commissioner had been consulting on a new charter for the Islands, criticized the fact that the new text had been presented to the Island Council in a closed

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[7] See www.parliament.thestationeryoffice.co.uk, Letter to the Second Clerk of the Committee from the Head, Parliamentary Relations Team, Foreign and Commonwealth Office, 25 April 2008.

[8] Proposed Charter as published on the Government of Pitcairn Island website, 31 July 2007, www.onlinepitcairn.com/information/GPIreform.doc.

[9] Seventh Report of the Foreign Affairs Committee Session 2007-08 Overseas Territories, June 2008 (available at www.fco.gov.uk).

[10] Tony Angelo, "Constitutional Developments for Pitcairn Islands", *New Zealand Yearbook of International Law* [2007-2008] Vol. 5, pp. 267-270 (available at www.laws.canterbury.ac.nz/intlaw/nzyilcontents_07_08.shtml).

meeting. Ms. Young shared her view with the Committee that Pitcairn had been ignored in previous consultations, such as on the 1999 White Paper.[9]

19. The Government's official response to the Committee's report, published in September 2008, indicated agreement with the Committee that there needed to be full consultation with the Pitcairn community on proposals for the Island's economic development, and that partnership between the United Kingdom Government and the Island was essential to ensure that development on Pitcairn was sustainable.[11]

III. Budget

20. In 2007-2008, expenditure for Pitcairn, supported by the United Kingdom Department for International Development, was roughly NZ$ 4 million, and income for the year was NZ$ 637,982.[12] Budgetary aid of NZ$ 3.5 million was provided in 2007-2008 to help to meet the operating budget deficit. Significant development funds have been allocated for infrastructure projects by the Department for International Development and the European Union. These are expected to be used for a wind power or alternative sustainable energy project to reduce the Island's dependence on diesel (for which a consultancy report was received at the end of 2008) and for improvements to access to the Island. The feasibility of constructing an alternative landing is currently under consideration. Other infrastructure projects will include road improvements and upgrades to public buildings. The territorial allocation provided for Pitcairn under the tenth European Development Fund, which runs from 2008-2013, amounts to €2.4 million.[13]

IV. Economic conditions

21. The principal source of income for Pitcairn's public economy has traditionally been the sale of stamps. Owing largely to a downturn in the stamp market, however, Pitcairn's financial reserves were exhausted in late 2003, and the Island now receives budgetary assistance from the United Kingdom Department for International Development. A scaled-down stamp trade continues nonetheless, with three new sets of stamp issues released in 2008.[14] Pitcairn coins (New Zealand mint) are another collector's item, with a number of new designs approved by the Pitcairn Council for release in 2009.[15] Revenue is also generated from landing fees for tourist arrivals.

22. Pitcairn's income has also been recently supplemented by the sale of Internet domain names. Internet users worldwide can acquire a ".pn" suffix that is permanently awarded to Pitcairn. The fees for the acquisition of a ".pn" domain are US$ 200 for the first registration, which covers two years, and US$ 100 for the

[11] Seventh Report of the Foreign Affairs Committee Session 2007-08 Overseas Territories, Response of the Secretary of State for Foreign and Commonwealth Affairs, September 2008, Cm 7473 (available at www.fco.gov.uk).

[12] Pitcairn's currency is the New Zealand dollar. As at 31 December 2008, the New Zealand dollar was equivalent to 0.58 United States dollars.

[13] See http://ec.europa.eu/development/.

[14] See www.onlinepitcairn.com, June 2008.

[15] Ibid., December 2008.

annual renewal. Revenue is also generated from interest and dividends, as well as increasing tourist arrivals.

23. The private economy of Pitcairn is based on subsistence gardening and fishing and the manufacturing and sale of handicrafts, as well as the export of dried fruit, honey and honey products. Bartering, mainly with passing ships, is an important part of the economy. The fertile soil of the valleys produces a wide variety of fruits and vegetables. Fish is the main source of protein in the Islanders' diet.

24. Pitcairn exports fruits, vegetables, handicrafts and high-quality honey and imports (mostly from New Zealand) fuel oil, machinery, building materials, cereals, milk, flour and other foodstuffs. The latter are ordered several months in advance and are obtainable through a cooperative store, established in 1967, which is currently under renovation. Pitcairn's products are sold in New Zealand, Japan and the United States of America. The Pitcairn Island Producers' Cooperative, established in 1999, promotes and coordinates the distribution of products produced by its members. A number of Pitcairn items are available directly from Pitcairn through the Internet. Given the remoteness of Pitcairn, customers must allow up to six months or more for delivery and, when paying for orders by cheque, customers are advised to leave their cheques undated because of the long time it takes to process them.

25. The uninhabited island of Henderson, designated as a World Heritage Site by the United Nations Educational, Scientific and Cultural Organization (UNESCO) in 1988, is the largest of the group and the most productive of the three satellite islands. Pitcairners visit there occasionally, staying a few days to collect a year's supply of miro wood, which they use to produce their carvings, and to undertake layering of young miro branches in an effort to ensure a sustainable crop for years to come. The journey by longboat may take about 14 hours each way, depending on weather conditions. The only other visitors to Henderson Island are scientists as the island is known for its endemic species of birds and plants in a near pristine system. The Islanders also make the voyage to Oeno, known as their "holiday island", once a year for a week of fishing and gathering coconuts and shells. Traditionally, the fish caught on those expeditions is shared equally among the families in the Territory. Oeno is an important breeding site for seabirds.[16]

26. Pitcairn is crucially dependent upon certain key items of infrastructure, including the jetty, longboats and boat shed, and the road from the jetty up to the main settlement. The year 2005 saw the completion of projects by the United Kingdom Government to repair and upgrade the Island's jetty and slipway and construct a sealed road — Pitcairn's first — from the landing area to the Adamstown settlement. A museum was also constructed to provide a focal point for the community and for tourist visitors.

27. There is one 6.4 km paved road and no railways on the island; hence, walking has historically been the way of getting around. In 2008, construction was initiated on an alternative road down to the coast ending at Water Valley. The construction process has proven difficult as the Water Valley road is steeper than the regular road,

[16] See http://www.oceandots.com/pacific/pitcairn/oeno.php.

and it has yet to be completed.[17] In recent years suitable all-terrain vehicles have become common,[18] such as four-wheelers or quads.[19]

28. As mentioned earlier, during the period under review, consultants have carried out feasibility studies, detailed designs and costings for a breakwater or alternative landing and a new wind-diesel electricity generation system for the provision of a 24-hour electricity supply. Currently, diesel-driven generators provide 240-volt electric power for five hours in the morning and five hours in the evening. While Pitcairn's isolation and access constraints have an impact on the speed with which progress can be made, it is hoped that implementation of the wind generation will start in 2009.

29. In September 2006 Pitcairn received a new communications system funded by the United Kingdom Government. This system provided the Island with telephones in all homes, a stable Internet system, limited television service and videoconferencing capabilities to allow greater contact with the Governor's and Commissioner's Offices in New Zealand and to provide telemedicine and educational services. The connection to the Internet is via a seismic station placed on the Island by the Albuquerque Seismological Laboratory, which has a network of seismological stations around the world that feed data via satellite. That satellite connection is shared with the Pitcairn residents to connect to the Internet.

30. With regard to land distribution issues, by the late 1970s, owing mainly to emigration, most of Pitcairn was owned by Pitcairn Islanders who no longer lived there. A Land Tenure Reform Ordinance was enacted at the end of 2006 intended to ensure that every Pitcairn Islander was entitled to an allocation of house, garden, orchard and forestry land "sufficient to meet their needs" for as long as they live on Pitcairn. An annual land tax payable on all land held by non-residents of the Territory, or on land held by residents "in excess of his or her reasonable needs", is aimed at ensuring that sufficient land is available for reallocation through the Land Court, upon application. Only Pitcairn Islanders by birth or naturalization, their children or grandchildren (having reached the age of 18 years) are eligible to apply for an allocation. They must be resident at the time of application and must intend to remain so. More detailed information on land distribution issues is provided in the 2005 working paper (A/AC.109/2005/10).

V. Social and educational conditions

31. The population of the Territory is self-employed, but allowances and wages are paid to members of the community who participate in local government activities or perform communal services. Public work, which is required by law of all men and women between 15 and 65 years of age, is partly a relic of the society created by the mutineers and partly a necessity born of the basically tax-free economy. The most essential of the traditional public duties are concerned with Bounty Bay and the maintenance of the public boats. Installations in the Bay are provided mainly from general revenue and grants from the United Kingdom. The only jobs in the Territory

[17] See www.onlinepitcairn.com, November 2008.

[18] See http://en.wikipedia.org/wiki/Pitcairn.

[19] See *Vanity Fair* magazine, January 2008 (available at http://www.vanityfair.com/culture/features/2008/01/pitcairn200801).

are government posts, which are normally reserved for permanent residents of Pitcairn. There are no banking facilities, but undated personal cheques and traveller's cheques may be cashed at the Island Secretary's office.

32. Education is free and compulsory for all children between 5 and 15 years of age. Pitcairn's only school was completely rebuilt in 2006; instruction is in English and is based on the New Zealand standard curriculum. The Education Officer, who is also the editor of the *Pitcairn Miscellany*, the Territory's only newspaper, is a trained teacher recruited from New Zealand, usually for a one-year term. As a point of practicality, post-primary education is conducted at the school by correspondence courses arranged through the New Zealand Department of Education. Overseas secondary education is encouraged by the grant of bursaries, and a number of students have received secondary education in New Zealand at the expense of the Government of Pitcairn. In November 2006, following a meeting of the Overseas Territories Consultative Council, the United Kingdom announced that beginning in 2007, citizens from the Overseas Territories would benefit from the home student fee rate at English universities.

33. The Seventh Day Adventist Church is the only Church on the Island. A pastor from New Zealand is currently stationed on the Island.

34. The Pitcairn Island Health Centre, completed in 1997, was funded by the United Kingdom Department for International Development. It has an examination room, a dental clinic, an x-ray room and a two-bed ward for overnight patients. A general practitioner is stationed on the Island on a one-year contract, assisted by an assistant nurse and a local dental officer, who also acts as an X-ray technician. The Government has also funded a social welfare programme, which includes a Family and Community Adviser, who is also recruited from New Zealand on a one-year contract. In terms of general health, though the Islanders still keep active tending fruit and vegetable gardens and working the surrounding ocean for food, obesity and diabetes are a problem

35. Pitcairn Island has a museum built with a grant from the Government of the United Kingdom. Artefacts on display include stone tools made by Polynesians prior to the arrival of the mutineers as well as cannonballs, an anchor and a swivel gun from the *Bounty*.[20]

36. Allegations of child sex abuse, which came to light in 1999, led to a widespread police investigation resulting in 13 men being charged with a total of 96 offences. The trials of the seven on-island defendants were held on Pitcairn in 2004: six were convicted on a number of counts. Four men received custodial sentences.

37. The convicted men appealed to the Pitcairn Court of Appeal and from there to the Privy Council in London on a range of issues. These included the sovereignty of the Pitcairn Islands, the promulgation of English law on the Island, delay, and other issues that they claimed were an abuse of process. Their appeals were finally dismissed by the Privy Council in a judgement handed down on 30 October 2006. This judgement stated inter alia that "infinite care appears to have been taken by all those involved to ensure that the investigation and the proceedings were conducted

[20] Nick Squires, "Pitcairn museum shows Bounty treasures", *Telegraph* (London), 31 August 2005.

fairly ..." Other appeals were heard in 2007, and although one count was dismissed for one of the offenders, the sentences were not substantively altered.

38. The trials of two more Pitcairn men (resident in Australia and New Zealand) took place in the Pitcairn Supreme Court sitting in Auckland in December 2006. Guilty verdicts were handed down on 9 January 2007 and the men were immediately taken to Pitcairn to serve their sentences. According to information from the administrating Power, by 15 December 2008, all prisoners had been released on parole except one who awaited a Parole Commission decision on his application for Home Detention.

39. The on-island prison has been staffed by prison officers on contract from the New Zealand Department of Corrections since it began operating at the end of 2006. Parole is monitored by the Community Police Officer, who is seconded from the New Zealand Police Force.

40. On 9 October 2008, Gillain Merron, the Minister for the Overseas Territories of the United Kingdom Foreign and Commonwealth Office announced that a mechanism had been established to compensate the victims of past child sex abuse on Pitcairn Island. Only those who had cooperated with the authorities in bringing the assailants to justice would be eligible. Details of the mechanism had been published on the island and on the Government of Pitcairn's website, www.pitcairn.pn, and the closing date for applications for compensation was 31 March 2009.[21] Ms. Merron further specified that the Deputy Governor of Pitcairn was working closely with the United Kingdom Criminal Injuries Compensation Authority, which would advise her on the levels of compensation to award linked to the amounts awarded in the United Kingdom. The scheme is to be administered by the Pitcairn Governor's office in Wellington, which will assess each application. According to media reports, the move came after victims of the abuse, mainly women now aged in their mid-20s to late-50s, stepped up their campaign for compensation threatening to launch a class-action suit earlier in 2008 and instructing a New Zealand Queen's Council to represent them.[22]

VI. Relations with international organizations and partners

41. It has been agreed to extend the United Nations Convention against Corruption, the Convention on the Elimination of All Forms of Discrimination against Women and the International Labour Organization Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (Convention No. 182), to Pitcairn at the earliest opportunity. As mentioned in paragraph 25 above, the uninhabited island of Henderson was designated as a World Heritage Site by UNESCO in 1988.

42. Pitcairn is a member of the Secretariat of the Pacific Community, which is the oldest and largest organization in the 10-member Council of Regional Organizations in the Pacific, a consultative process that is headed at the political level by the Pacific Islands Forum Secretariat. The Secretariat of the Pacific Community provides technical assistance, policy advice, training and research services to 22 Pacific Island countries and territories in areas such as health, human

[21] The Government of Pitcairn website, http://www.government.pn/compensation.html.

[22] *The Guardian*, 10 October 2008, www.guardian.co.uk/.

development, agriculture, forestry and fisheries. All of these areas are critical to the people of the Pacific, who continue to face challenges from their remote locations and scarce resources, as well as new challenges from decreasing food security and the effects of climate change.[23]

VII. Future status of the Territory

A. Position of the territorial Government

43. The last statement made by a representative of the Island Mayor to the Pacific Regional Seminar on decolonization was made in Madang, Papua New Guinea, from 18 to 20 May 2004. It is summarized in the report of the Special Committee of 24 for 2004 (A/59/23).

B. Position of the administering Power

44. In a statement made on 6 October 2008 before the Special Political and Decolonization Committee (Fourth Committee) during the sixty-third session of the General Assembly, the representative of the United Kingdom said, inter alia, that her Government's relationship with its Overseas Territories was based on partnership, shared values and the right of each Territory to determine if it wished to retain its link to the United Kingdom, where applicable. Her Government had no intention of imposing independence against their will (see A/C.4/63/SR.2).

45. The representative referred to various constitutional review processes that had been undertaken, aimed at providing a modern constitutional framework to reflect the specific circumstances of each Territory. Provisions relating to good governance, human rights and the roles of the Governor and locally elected politicians had been updated. She stated that her Government's support for the Territories focused on capacity-building and sustainable development, and indicated that the United Kingdom continued to work with the Territories, as appropriate, in areas such as political and economic transparency, security, reduction of vulnerability to natural and non-natural disasters and environmental management.

46. In a paper dated 8 May 2008, sent to the Chairman of the Special Committee for circulation at the Pacific Regional Seminar on decolonization, in Bandung later that month, the United Kingdom similarly set out its position,[24] as based on the 1999 White Paper entitled "Partnership for Progress and Prosperity: Britain and the Overseas Territories"[25] The paper also addressed the status of the various constitutional review processes undertaken in the framework of that White Paper.

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[23] Website of the Secretariat of the Pacific Community, www.spc.int, accessed 28 January 2009.

[24] The full statement can be found at the Decolonization website, http://www.un.org/depts/dpi/decolonization/regional_seminars_statements_08/united_kingdom.pdf.

[25] "Partnership for Progress and Prosperity: Britain and the Overseas Territories", White Paper submitted to the House of Commons on 17 March 1999, by the United Kingdom Secretary of State for Foreign and Commonwealth Affairs (see A/AC.109/1999/1, annex, and Corr.1).

C. Action by the General Assembly

47. On 5 December 2008, the General Assembly adopted without a vote resolutions 63/108 A and B, based on the report of the Special Committee transmitted to the General Assembly[26] and its subsequent consideration by the Special Political and Decolonization Committee (Fourth Committee) (A/63/408). Section VIII of resolution 63/108 B concerns Pitcairn. Under that section's operative paragraphs, the General Assembly:

> 1. *Welcomes* all efforts by the administering Power that would devolve operational responsibilities to the territorial Government, with a view to expanding self-government;
>
> 2. *Requests* the administering Power to assist the Territory by facilitating its work concerning public outreach efforts, consistent with Article 73 *b* of the Charter of the United Nations and, in that regard, calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;
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> 3. *Also requests* the administering Power to continue its assistance for the improvement of the economic, social, educational and other conditions of the population of the Territory and to continue its discussions with the territorial Government on how best to support economic security in Pitcairn.

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[26] A/63/23.